

REMARKS/ARGUMENTS

Claims 11-15 are pending and at issue in the present application, claims 1-10, 16, and 17 having been withdrawn in this amendment.

Applicants respectfully traverse the rejection of claims 11, 14, and 15 as anticipated by Sanino (US 5,273,188).

Claim 11, and claims 14 and 15 dependent directly thereon, recite an apparatus for applying an adhesive to a substrate, comprising a housing having an inlet passage, a plurality of dispensing passages with exit openings, and a recess in fluid communication between the inlet passage and the exit openings. A rotatable valve element is disposed in the recess, and the valve element has a plurality of apertured sections each aligned with a dispensing passage. A first one of the apertured sections is circumferentially offset from a second one of the apertured sections.

The prior art does not disclose or suggest an apparatus for applying an adhesive to a substrate as recited in claims 11, 14, and 15, wherein a first one of the apertured sections is circumferentially offset from a second one of the apertured sections.

Rather, Sanino discloses a machine for the metered pouring of flowable aerated substances. The machine includes a housing defining, an inlet, a plurality of outlets, and a moderately pressurized chamber disposed between the inlet and each outlet. Each outlet extends between an orifice in communication with the chamber and an exit orifice. A rotatable valve member intersects all of the outlets between the chamber orifice and the exit orifice. The valve member includes a plurality of apertures, wherein each aperture is aligned with an outlet. All of the apertures are circumferentially aligned with each other. In a first position, the valve member allows fluid flow between the chamber and each exit orifice through each aperture, and in a second position rotated from the first position, the valve member does not allow any fluid flow between the chamber and any exit orifice. Thus, the valve member only allows the aerated substance to either flow through all of the exit orifices or none of the exit orifices.

Sanino does not provide any suggestion or motivation to modify the metered pouring machine disclosed therein by circumferentially offsetting one of the valve member apertures from any of the other valve members. Rather, Sanino teaches away from such modification due

to the desire to minimize and control any pressure changes within the chamber that can adversely affect the aerated flowable substance being ejected from the exit orifices.

Because the prior art does not disclose all of the recitations of the claims at issue, it follows that such claims are not anticipated thereby.

Further because the prior art does not disclose a suggestion of an incentive to make the claimed combination, it follows that the claims at issue are not obvious thereover. The prior art must disclose at least a suggestion of an incentive for the claimed combination of elements in order for a *prima facie* case of obviousness to be established. See *In re Sernaker*, 217, U.S.P.Q. 1 (Fed. Cir. 1983); *Ex Parte Clapp*, 227 U.S.P.Q. at 973.

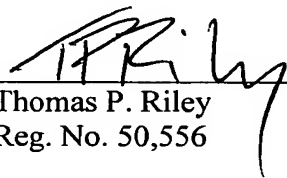
For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims at issue and allowance thereof are respectfully requested.

Respectfully submitted,

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Amendments to the Drawings

Annotated sheets 2, 3, and 6 of the drawings indicating changes to Figure 2, 3B, and 7 in red and replacement sheets 2, 3, and 6 incorporating such changes therein are submitted herewith.

In Figure 2, reference numbers 30 and 32, with appropriate lead lines indicating the opposite ends of the valve element, and reference number 48w and dimension indicator, with an appropriate lead line indicating the width dimension of the apertured sections, have been added in accordance with the usage thereof in the original specification:

“The rotary valve element 24 is an elongate member having first and second ends 30, 32. The motor 28 . . . is preferably coupled to the rotary valve element 24 at the first end 30.” (See specification at page 4, lines 2-5.)

Also:

“Preferably, each apertured section 48 is aligned with an associated dispensing passage 36 and may, although not necessarily, have a width 48w that is wider than the width of the associated dispensing passage 36.” (See specification at page 6, lines 25-27.)

In Figure 7, reference numbers 151a and 151b, with appropriate lead lines indicating the end recesses, have been added in accordance with the usage thereof in the original specification:

“Preferably the o-rings 146 remain enclosed within end recesses 151a, 151b through the entire range of motion of the valve element 124, thereby protecting the o-rings from the adhesive and from possible shearing upon entering and exiting the end recesses 151a, 151b.” (See specification at page 10, lines 20-23.)

These amendments to Figures 2 and 7 correct inadvertent omissions in the original drawings and do not add new matter to the application. Therefore, the undersigned respectfully requests the examiner to enter these amendments to the drawings.

The remaining amendments to Figure 2 (extending the lead lines of reference numerals 36b and 38a) and Figure 3B (changing reference numeral 50a to 50c) correct inadvertent differences between the drawings as originally filed and the formal drawings filed on July 14, 2004. These amendments do not add new matter or present a change from the drawings as originally filed. Therefore, the undersigned respectfully requests the examiner to enter these amendments to the formal drawings.

Attachment: Replacement Sheets 2, 3, and 6 of Drawings Incorporating Changes
Annotated Sheets 2, 3, and 6 of Drawings Showing Changes



Appl. No. 10/608,684

Amdt. A dated December 9, 2004

Reply to O.A. of September 9, 2004

APPENDIX

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FIG. 2

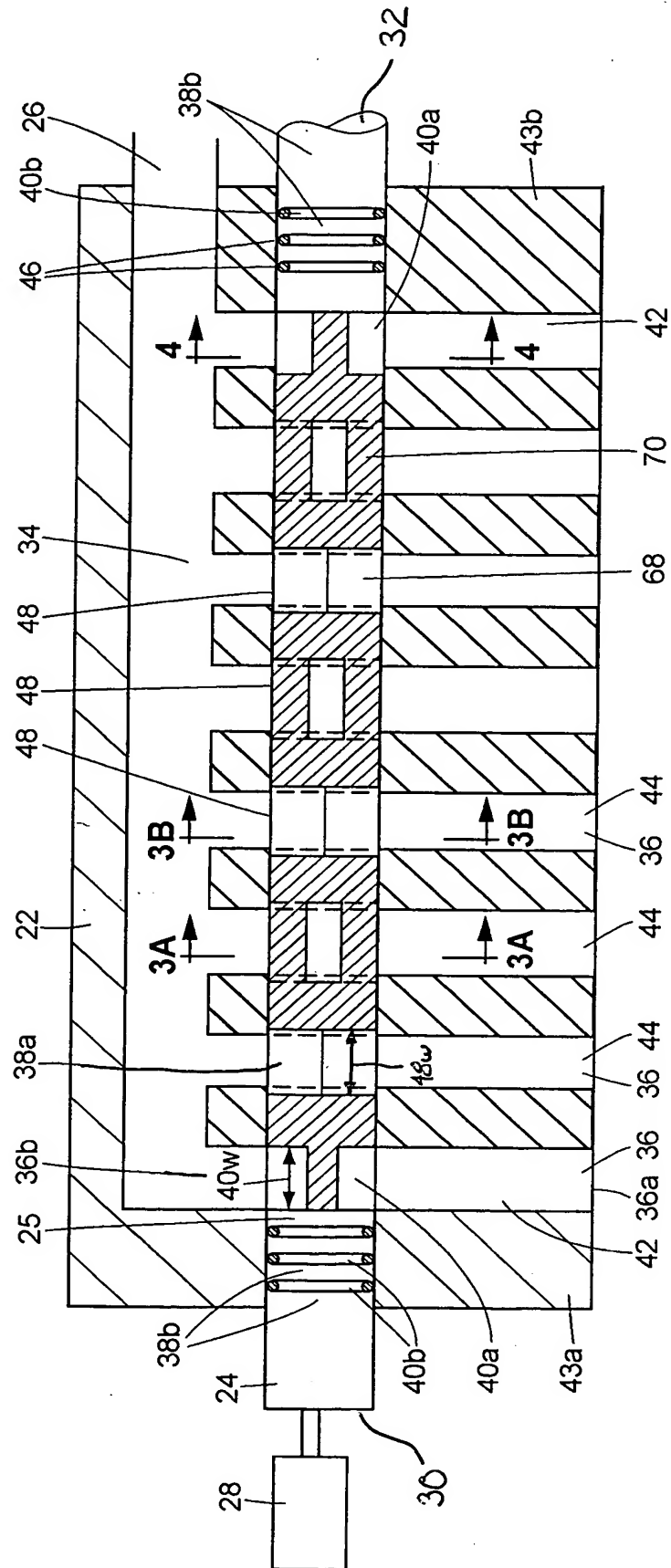




FIG. 7

